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March 15, 2024

VIA ELECTRONIC CASE FILING

Hon. Therese Wiley Dancks
United States District Judge
Northern District of New York
100 S. Clinton Street
Syracuse, New York 13261-7346

Re: Young America's Foundation, et al v. Brian Rose, et al
Case No. 20-cv-822 (LEK/TWD)

Dear Judge Dancks:

We represent Brian Rose (“Mr. Rose”) in the above referenced action. We write jointly with the attorneys representing Defendant Harvey Stenger (“Mr. Stenger”) and the attorneys representing Defendant John Pelletier (“Mr. Pelletier”) (collectively, all three are referred to as the “SUNY Defendants”) to request an extension to the deadline for filing dispositive motions. This deadline is currently set for April 26, 2024.

While we understand that in the December 26, 2023 Order, this Court provided to previous counsel that no further extensions would be granted, we are requesting an extension as counsel for each SUNY Defendant has recently been substituted in as counsel. This case has been pending for over three and a half years with over 300 docket entries and extensive discovery – including over 25 depositions and thousands of documents produced. In order to properly represent our clients and prepare dispositive motions, it is imperative for the attorneys for the SUNY Defendants to review all such documents and records. To review such a voluminous record and prepare dispositive motions in a little more than two months is unduly burdensome to each SUNY Defendant’s counsel and the SUNY Defendants. With no trial date pending and the requested extension not being unreasonably prejudicial to plaintiffs, we ask that the Court grant this extension. In addition, the SUNY Defendants hope to concurrently use this additional time to engage in meaningful settlement discussions with Plaintiffs. Mr. Pelletier has already engaged in a settlement conversation with Plaintiffs (which did not result in settlement), while Mr. Rose and Mr. Stenger are in the process of scheduling calls with Plaintiffs to discuss settlement.

As such, based on good cause, the SUNY Defendants respectfully request a 90-day extension to this deadline, making dispositive motions due on July 26, 2024.

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Plaintiffs' counsel does not consent to this request. On March 15, 2024, we contacted counsel for Defendant Student Association of Binghamton University for its consent but did not hear back.

Thank you for your consideration.

Respectfully Submitted,

BOND, SCHOENECK & KING, PLLC

/s/
Louis P. DiLorenzo, Esq.

cc: All Counsel of Record (via ECF)